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REMARKS

Reconsideration of this application is requested in view of the forgoing amendments, the attached Request for Continued Examination and the following remarks.

The status of the claims following the above amendments is as follows:

Claims 10-20 are pending;

Claims 1-9 have been finally rejected; and

Claim 20 is newly presented.

Newly presented Claim 20 is a process that is related to the apparatus as claimed in claims 10-19. Support for claim 20 is found in the disclosure of the present application in paragraphs 0005, 0006, 0007 and 0012 of the printed publication US2007/0163752 corresponding to this application. Use of the device as disclosed in the present application enables replacement of cleaning apparatus that previously was located in the discharge pipe with cleaning apparatus that can be placed directly in the outlet collector that is directly connected to the heat exchange enclosure. Examination of claim 20 is requested.

A new Abstract of the Disclosure has been provided. Therefore, the objection to the Abstract has been obviated and should be withdrawn.

The examiner has rejected claims 10, 12, 14, and 15 under 35 U.S.C. §102(b) as anticipated by US4304295, Otake, hereafter "Otake." This rejection as it applies to the amended claims is traversed.

The examiner will notice that claim 10 has been amended to specify that one end of the outlet collector is directly connected to the enclosure and the other end to a discharge pipe. Further, the separator device is placed in the second portion of the outlet collector and not in the discharge pipe. Claim 10 as amended clearly describes a device that is different from Otake where the separator device is clearly placed in the discharge pipe and not in an outlet collector that has an upstream mouth directly connected to the heat exchange enclosure. Because Otake does not disclose all element of claim 10, there can be no anticipation and therefore this rejection is unwarranted and should be withdrawn.

The examiner has also rejected claims 11, 13, 16, and 17 under 35 U.S.C. §103(a) as unpatentable over Otake. This rejection as it applied to the amended claims is traversed.

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Otake does not disclose or suggest placement of the separator device in the manner specified by the claims in a manner that would make the claimed invention obvious to one of ordinary skill. The entire disclosure of Otake is directed to an add-on device that can be added to a discharge pipe to collect the cleaning balls. The structure of Otake would not be suitable for placement in the outlet collector and one of ordinary skill would recognize the deficiencies of Otake and not be lead to a device as claimed. Considering the scope and content of the prior art (Otake) and the differences between the claimed invention and Otake, one of ordinary skill would not thought of the apparatus and process as an obvious variant of Otake. Therefore, the rejection of claims 11, 12, 16, and 17 under 35 U.S.C. §103(a) is unwarranted and should be withdrawn. Further rejection of claims 10, 12, 14, and 15 under 35 U.S.C. §103(a) also would be unwarranted for the same reasons.

The examiner has also rejected claims 18 and 19 under 35 U.S.C. §103(a) as unpatentable over Otake in view of US4385660, Koller, hereafter "Koller." This rejection is traversed.

Koller does not remove the inherent weakness of Otake relative to the present claims. There is nothing in Koller that would when combined with Otake lead a person of ordinary skill to the device as now claimed. As with Otake, Koller is designed for inclusion in the discharge pipe. One of ordinary skill considering both Otake and Koller would place the separator device in the outlet tube or pipe and there is nothing in either disclosure that would lead a person of ordinary skill to place the separator device in the outlet collector that has its upstream mouth directly connected to the heat exchange enclosure. Therefore, this rejection is unwarranted and should be withdrawn.

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Deposit Account Authorization

The Commissioner is hereby authorized to charge any deficiency in any amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17, except issue fees, to Deposit Account No. 50-1903.

Respectfully submitted,

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